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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GABRIEL DIOP,

Defendant.

CASE NO. 2:21-CR-00106-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: June 27, 2022
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America (the “government”), by and through its counsel of record, and
defendant Gabriel Diop, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on June 27, 2022.
2. By this stipulation, the defendant now moves to continue the status conference until
August 22, 2022 at 9:00 a.m., and to exclude time between June 27, 2022, and August 22, 2022, under
Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case
includes more than 20,000 pages of discovery, images, and video files. Approximately 7,000
pages of this discovery has been produced directly to the defendant’s counsel, and the remainder
has been made available for inspection and copying pursuant to Rule 16(a)(1)(E) of the Federal

1 Rules of Criminal Procedure. Additionally, the government anticipates producing thousands of
2 pages of additional discovery to the defendant in the coming weeks.

3 b) Counsel for the defendant desires additional time to consult with her client,
4 review the charges, conduct investigation and research related to the charges, review and copy
5 discovery that has already been produced and will be produced, discuss potential resolutions with
6 her client and the government, prepare pretrial motions, and otherwise prepare for trial.

7 c) Counsel for the defendant believes that failure to grant the above-requested
8 continuance would deny her the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of June 27, 2022, to August 22, 2022,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
17 because it results from a continuance granted by the Court at the defendant's request on the basis
18 of the Court's finding that the ends of justice served by taking such action outweigh the best
19 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: June 22, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ SAM STEFANKI
SAM STEFANKI
Assistant United States Attorney


Dated: June 22, 2022

/s/ JENNIFER MOUZIS
JENNIFER MOUZIS
Counsel for Defendant
GABRIEL DIOP

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: June 22, 2022


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE